

**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**

**Know ye,** This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Wayne County as it pertains to the highway located in Wayne County known as BERT AVERY ROAD; County Road Number: 93; State Geographic Information Database (SGID) Road Identification Number: RD280377. Total road length is 16.09 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference.

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 5<sup>th</sup> day of December, 2007.

By the Governor's Designee

  
John Harja


### CERTIFICATION

State of Utah                     )  
  : ss  
County of Salt Lake            )

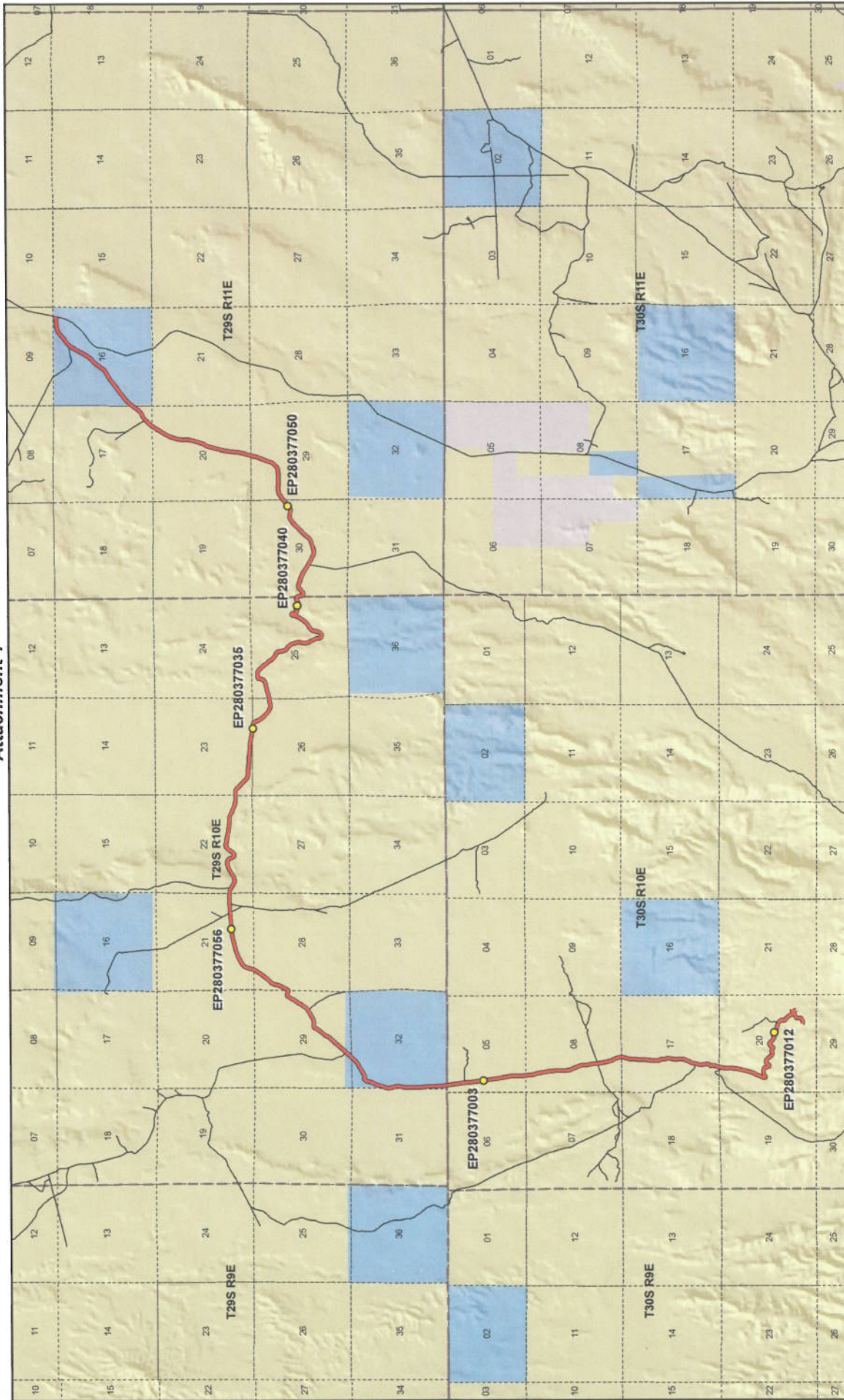
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 5<sup>th</sup> day of December, 2007.



  
Notary Public

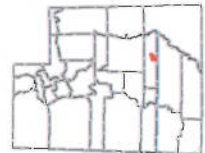




**Bert Avery Road - Wayne County**  
**SGID RD\_ID RD280377**



1:87,032  
1 inch equals 1.4 miles



- Land Ownership Categories**
- BLM
  - Private
  - SITLA, State Trust Land
  - USFS, National Forest
  - State Parks and Recreation
  - Tribal, Indian Reservation
  - NPS, National Park

- Transportation Network**
- Bert Avery Road
  - Other Roads
  - Title V Issued Or Under Consideration By BLM
  - County
  - Photo Event Point
  - Section = 1 Mile

- Land Ownership Categories**
- Wilderness
  - UDWR Wildlife Reserve
  - DOD, Military
  - State Sovereign Land
  - National Recreation Area
  - USFWS, Natl. Wildlife Refuge

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Dec 03, 2007





Attachment 2

EP280377050



EP280377040



EP280377035



EP280377056



EP280377003



EP280377012



**Bert Avery Road - Wayne County**  
**SGID RD\_ID RD280377**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Dec 03, 2007



### Attachment 3

#### Beginning & Ending Points and Township, Range, and Section References For:

**Popular Name: BERT AVERY ROAD**

**County: Wayne**

**County Road Number: 93**

**State Geographic Information Database (SGID) Road Identification Number: RD280377.**

**Total Road Length: 16.09 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 11 minutes 13.12 seconds North Latitude and -110 degrees 50 minutes 58.28 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,827,377.7 feet and Y = 10,396,734.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 17 minutes 38.47 seconds North Latitude and -110 degrees 42 minutes 53.33 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,865,768.0 feet and Y = 10,436,011.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 10 East, Section(s) 21,22,23,25,26,28,29,32, Salt Lake Base & Meridian

Township 29 South Range 11 East, Section(s) 16,17,20,29,30, Salt Lake Base & Meridian

Township 30 South Range 10 East, Section(s) 5,8,17,20, Salt Lake Base & Meridian

See Attachment 1 above for a cartographic depiction of the course of this road.



**Attachment 4**  
**Road Centerline Description Cover Page(s)**

**Popular Name: BERT AVERY ROAD**

**County: Wayne**

**County Road Number: 93**

**State Geographic Information Database (SGID) Road Identification Number: RD280377.**

**Total Road Length: 16.09 miles more or less.**

**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).**

<b>Road-Segments Listed by SGID Road Identification Number (RD ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD280377</b>	<b>001</b>	<b>BLM</b>	<b>4.09 Miles</b>	<b>A</b>
<b>RD280377</b>	<b>002</b>	<b>ST</b>	<b>1.23 Miles</b>	<b>(not shown)</b>
<b>RD280377</b>	<b>003</b>	<b>BLM</b>	<b>9.53 Miles</b>	<b>B</b>
<b>RD280377</b>	<b>004</b>	<b>ST</b>	<b>1.23 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>16.09</b>	<b>_____</b>

\* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.